

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Julia Pagnamenta	Team: Squad #2	CCRB Case #: 202002960	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 04/19/2020 9:17 PM	Location of Incident: [REDACTED]	Precinct: 84	18 Mo. SOL 10/19/2021	EO SOL 5/4/2022	
Date/Time CV Reported Sun, 04/19/2020 9:48 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 04/29/2020 11:19 AM		
Complainant/Victim	Type	Home Address			
[REDACTED]	[REDACTED]	[REDACTED]			
Subject Officer(s)	Shield	TaxID	Command		
1. SGT Jonathan Valentin	03816	947566	084 PCT		
Witness Officer(s)	Shield No	Tax No	Cmd Name		
1. POM Paul Pierre	14991	935513	084 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.SGT Jonathan Valentin	Off. Language: Sergeant Jonathan Valentin made remarks to § 87(2)(b) based upon the gender of § 87(2)(b)			[REDACTED]	

Case Summary

On April 19th, 2020, § 87(2)(b) called the Internal Affairs Bureau and filed this complaint, generating IAB Log # 2020-10983 (**Board Review 01**). IAB referred this case to the CCRB, where it was received on April 29th, 2020.

At approximately 9:17 p.m., on April 19th, 2020, § 87(2)(b) called the 84th Precinct stationhouse's main number, and Police Officer Paul Pierre of the 84th Precinct answered her call. § 87(2)(b) asked Police Officer Pierre if she could speak to Lieutenant Michael Iannuzzi of the 84th Precinct, and Police Officer Pierre told her the Lieutenant was not working that day. § 87(2)(b) asked Police Officer Pierre if she could speak to a supervisor. Police Officer Pierre transferred her call to the Desk Sergeant that day, Sergeant Jonathan Valentin of the 84th Precinct. Before her call was transferred, § 87(2)(b) overheard Police Officer Pierre have a conversation with Sergeant Valentin, in which Sergeant Valentin allegedly said, "I don't want to speak to that bitch" (**Allegation A– Offensive– Language Gender**, § 87(2)(g)). After Police Officer Pierre returned on the line, he transferred § 87(2)(b) call to Sergeant Valentin and § 87(2)(b) spoke to Sergeant Valentin.

§ 87(2)(b) video-recorded a part of the phone call she made to the 84th Precinct stationhouse on April 19th, 2020, which is attached to IA#24 (**Board Review 02**) and summarized in IA#25 (**Board Review 03**). Footage of the 84th Precinct stationhouse's lobby and entrance area were obtained for this incident and is attached to IAs#26 and #27 (**Board Reviews 04 and 05**). The stationhouse footage did not capture the incident. The CCRB received negative results for BWC footage from Sergeant Valentin or Police Officer Pierre. However, the nature of the incident did not require the use of BWC as per the Patrol Guide Procedure 212-123 (**Board Review 06**).

Findings and Recommendations

Allegation (A) Offensive Language: Sergeant Jonathan Valentin made remarks to § 87(2)(b) based upon the gender of § 87(2)(b)

§ 87(2)(b) was interviewed by phone on May 5th, 2020 (**Board Review 07**). Sergeant Jonathan Valentin was interviewed at the CCRB on October 16th, 2020 (**Board Review 08**). Police Officer Paul Pierre was interviewed at the CCRB on March 5th, 2021 (**Board Review 09**).

It is undisputed that § 87(2)(b) called the 84th Precinct stationhouse over the phone on April 19th, 2020, and spoke to Police Officer Pierre, who then transferred her call to Sergeant Valentin.

In dispute is whether before § 87(2)(b) call was transferred to him, Sergeant Valentin said, "I don't want to speak to that bitch."

In her CCRB statement, § 87(2)(b) stated that after she asked Police Officer Pierre if she could speak to a supervisor, she overheard Police Officer Pierre "scream" to another officer, who she believed was Sergeant Valentin. Over the phone, § 87(2)(b) heard Sergeant Valentin say, "Just hang up on her," "She doesn't listen," and "I don't want to speak to that bitch." When Police Officer Pierre returned on the line, § 87(2)(b) asked him who he had been talking to, and Police Officer Pierre did not answer, and transferred her call to an officer who introduced himself as Sergeant Valentin and provided her with his shield number. § 87(2)(b) told Sergeant Valentin that she had overheard his conversation. After § 87(2)(b) told Sergeant Valentin that she was going to file a complaint with IAB, he put her on hold, and the call was then disconnected.

The video recording of the incident that § 87(2)(b) provided the investigation (**Board Review 02**) begins after Police Officer Pierre first picks up the phone, but before she is transferred to Sergeant Valentin. Male voices can be heard in the background, but the audio is not clear and does not clearly capture what they are saying. The audio becomes decipherable at runtime 00:40, when a male voice is heard speaking. At 00:46 a male voice is captured saying, “You can transfer her to me, and I’ll hang up on her.” At 00:59, Police Officer Pierre is heard telling § 87(2)(b) that she will transfer her to his “boss,” and at 2:09, Sergeant Valentin picks up and begins speaking to § 87(2)(b) who tells him she overheard his conversation. The video recording ends before the conversation between § 87(2)(b) and Sergeant Valentin concludes. The video recording does not clearly capture any officer saying, “I don’t want to talk to that bitch” or using the word “bitch.”

Sergeant Valentin and Police Officer Pierre’s statements were generally consistent with each other and both stated that they did not recall officers having a conversation between each other about § 87(2)(b) before Police Officer Pierre transferred her call to Sergeant Valentin. While both officers identified their voices in the parts of the conversation when § 87(2)(b) is speaking directly to them, neither Sergeant Valentin nor Police Officer Pierre were able to identify the male voices captured in § 87(2)(b) video recording in the time span before Police Officer Pierre returns on the line at runtime 00:59, which is the period in which the alleged comment occurred.

In his CCRB statement, Sergeant Valentin did not recall the specifics of the circumstances around the April 19th, 2020 phone conversation in which § 87(2)(b) alleged that he called her a “bitch.” Sergeant Valentin stated that he had spoken to § 87(2)(b) when she called the stationhouse at unknown dates, and that she was “somewhat difficult” to engage with because she did not “want to take anybody’s advice” in regards to what officers could and could not assist her with. Sergeant Valentin did not know what § 87(2)(b) was referring to when she alleged that he had called her a “bitch.” He stated that he did not recall using any profanities and that he had never spoken to § 87(2)(b) in a rude manner in any of their phone conversations. Sergeant Valentin did not recall saying, “I don’t want to speak to that bitch.” Sergeant Valentin did not recall any other officer present at the stationhouse making that comment.

Police Officer Pierre stated that he did not remember any officers using any profanities in reference to § 87(2)(b) in the moment before he transferred her call to Sergeant Valentin, and stated that Sergeant Valentin had not referred to § 87(2)(b) as a “bitch,” and that Sergeant Valentin had not said, “I don’t want to speak to that bitch.”

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b)
 - § 87(2)(b)
 - § 87(2)(b)
 - § 87(2)(b)
 - § 87(2)(b)

§ 87(2)(b)

- ## **Mediation, Civil and Criminal Histories**

- [REDACTED] § 87(2)(b)
- [REDACTED] 7(2)(b)
- [REDACTED] (b)
- [REDACTED]

Squad No.: 2

Investigator: Julia Pagnamenta Inv. Pagnamenta 03/11/2021
Signature Print Title & Name Date

Squad Leader: Alexander Opoku-Agyemang IM Alexander Opoku-Agyemang 3/12/2021
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date